

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPRI SUN GMBH,

Plaintiff,

-v-

AMERICAN BEVERAGE CORPORATION,

Defendant.

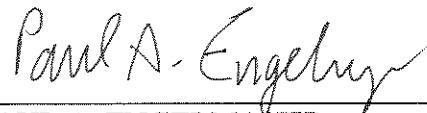
19 Civ. 1422 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On review of the record following yesterday's hearing, the Court is left unclear as to whether the pouch subject to the litigation in *Deutsche SiSi-Werke Betriebs GmbH v. Faribault Foods, Inc.*, No. 15 Civ. 9750 (KMW) (S.D.N.Y.) (the "Prior Litigation") is identical to the Licensed Pouches manufactured and sold pursuant to the Settlement and License Agreement with which the Prior Litigation concluded. The Court directs the parties, by March 21, 2022, at 5 p.m. to file a joint letter identifying the part(s) of the record that answer(s) this question.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: March 18, 2022
New York, New York